

## §21.50

or the National Transportation Safety Board.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Doc. No. 8084, 32 FR 5769, Apr. 11, 1967]

### **§21.50 Instructions for continued airworthiness and manufacturer's maintenance manuals having airworthiness limitations sections.**

(a) The holder of a type certificate for a rotorcraft for which a Rotorcraft Maintenance Manual containing an "Airworthiness Limitations" section has been issued under §27.1529 (a)(2) or §29.1529 (a)(2) of this chapter, and who obtains approval of changes to any replacement time, inspection interval, or related procedure in that section of the manual, must make those changes available upon request to any operator of the same type of rotorcraft.

(b) The holder of a design approval, including either the type certificate or supplemental type certificate for an aircraft, aircraft engine, or propeller for which application was made after January 28, 1981, must furnish at least one set of complete Instructions for Continued Airworthiness to the owner of each type aircraft, aircraft engine, or propeller upon its delivery, or upon issuance of the first standard airworthiness certificate for the affected aircraft, whichever occurs later. The Instructions must be prepared in accordance with §§23.1529, 25.1529, 25.1729, 27.1529, 29.1529, 31.82, 33.4, 35.4, or part 26 of this subchapter, or as specified in the applicable airworthiness criteria for special classes of aircraft defined in §21.17(b), as applicable. If the holder of a design approval chooses to designate parts as commercial, it must include in the Instructions for Continued Airworthiness a list of commercial parts submitted in accordance with the provisions of paragraph (c) of this section. Thereafter, the holder of a design approval must make those instructions available to any other person required by this chapter to comply with any of the terms of those instructions. In addition, changes to the Instructions for Continued Airworthiness shall be made available to any person required by this chapter to comply with any of those instructions.

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(c) To designate commercial parts, the holder of a design approval, in a manner acceptable to the FAA, must submit:

(1) A Commercial Parts List;

(2) Data for each part on the List showing that:

(i) The failure of the commercial part, as installed in the product, would not degrade the level of safety of the product; and

(ii) The part is produced only under the commercial part manufacturer's specification and marked only with the commercial part manufacturer's markings; and

(3) Any other data necessary for the FAA to approve the List.

[Amdt. 21–23, 33 FR 14105, Sept. 18, 1968, as amended by Amdt. 21–51, 45 FR 60170, Sept. 11, 1980; Amdt. 21–60, 52 FR 8042, Mar. 13, 1987; Amdt. 21–90, 72 FR 63404, Nov. 8, 2007; Amdt. 21–92, 74 FR 53386, Oct. 16, 2009]

### **§21.51 Duration.**

A type certificate is effective until surrendered, suspended, revoked, or a termination date is otherwise established by the FAA.

### **§21.53 Statement of conformity.**

(a) Each applicant must provide, in a form and manner acceptable to the FAA, a statement that each aircraft engine or propeller presented for type certification conforms to its type design.

(b) Each applicant must submit a statement of conformity to the FAA for each aircraft or part thereof presented to the FAA for tests. This statement of conformity must include a statement that the applicant has complied with §21.33(a) (unless otherwise authorized under that paragraph).

[Amdt. 21–17, 32 FR 14926, Oct. 28, 1967, as amended by Amdt. 21–92, 74 FR 53386, Oct. 16, 2009]

### **§21.55 Responsibility of type certificate holders to provide written licensing agreements.**

A type certificate holder who allows a person to use the type certificate to manufacture a new aircraft, aircraft engine, or propeller must provide that

person with a written licensing agreement acceptable to the FAA.

[Doc. No. FAA-2003-14825, 71 FR 52258, Sept. 1, 2006]

### Subpart C—Provisional Type Certificates

SOURCE: Docket No. 5085, 29 FR 14566, Oct. 24, 1964, unless otherwise noted.

#### §21.71 Applicability.

This subpart prescribes—

(a) Procedural requirements for the issue of provisional type certificates, amendments to provisional type certificates, and provisional amendments to type certificates; and

(b) Rules governing the holders of those certificates.

#### §21.73 Eligibility.

(a) Any manufacturer of aircraft manufactured within the United States who is a United States citizen may apply for Class I or Class II provisional type certificates, for amendments to provisional type certificates held by him, and for provisional amendments to type certificates held by him.

(b) Any manufacturer of aircraft in a State of Manufacture subject to the provisions of an agreement with the United States for the acceptance of those aircraft for export and import may apply for a Class II provisional type certificate, for amendments to provisional type certificates held by him, and for provisional amendments to type certificates held by him.

(c) An aircraft engine manufacturer who is a United States citizen and who has altered a type certificated aircraft by installing different type certificated aircraft engines manufactured by him within the United States may apply for a Class I provisional type certificate for the aircraft, and for amendments to Class I provisional type certificates held by him, if the basic aircraft, before alteration, was type certificated in the normal, utility, acrobatic, commuter, or transport category.

[Doc. No. 5085, 29 FR 14566, Oct. 24, 1964, as amended by Amdt. 21-12, 31 FR 13380, Oct. 15, 1966; Amdt. 21-59, 52 FR 1836, Jan. 15, 1987; Amdt. 21-92, 74 FR 53387, Oct. 16, 2009]

#### §21.75 Application.

Each applicant for a provisional type certificate, for an amendment thereto, or for a provisional amendment to a type certificate must apply to the appropriate aircraft certification office and provide the information required by this subpart.

[Doc. No. FAA-2006-25877, Amdt. 21-92, 74 FR 53387, Oct. 16, 2009]

#### §21.77 Duration.

(a) Unless sooner surrendered, superseded, revoked, or otherwise terminated, provisional type certificates and amendments thereto are effective for the periods specified in this section.

(b) A Class I provisional type certificate is effective for 24 months after the date of issue.

(c) A Class II provisional type certificate is effective for twelve months after the date of issue.

(d) An amendment to a Class I or Class II provisional type certificate is effective for the duration of the amended certificate.

(e) A provisional amendment to a type certificate is effective for six months after its approval or until the amendment of the type certificate is approved, whichever is first.

[Doc. No. 5085, 29 FR 14566, Oct. 24, 1964 as amended by Amdt. 21-7, 30 FR 14311, Nov. 16, 1965]

#### §21.79 Transferability.

Provisional type certificates are not transferable.

#### §21.81 Requirements for issue and amendment of Class I provisional type certificates.

(a) An applicant is entitled to the issue or amendment of a Class I provisional type certificate if he shows compliance with this section and the FAA finds that there is no feature, characteristic, or condition that would make the aircraft unsafe when operated in accordance with the limitations established in paragraph (e) of this section and in §91.317 of this chapter.

(b) The applicant must apply for the issue of a type or supplemental type certificate for the aircraft.

(c) The applicant must certify that—